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PATENT
Application No. 10/763,086
Filing Date: January 22, 2004
Examiner: Brian P. Mruk
Art Unit: 1751
Attorney Docket No. H 05358 PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the United States Patent Application of: :
: :
Applicants: Arnd Kessler, et al. :
: :
Application No.: 10/763,086 : Examiner: Brian P. Mruk
: :
Filing Date: January 22, 2004 : Group Art Unit: 1751
: :
Confirmation No.: 6406 :
Title: **DISHWASHING MACHINE DETERGENTS**
CONTAINING SURFACTANTS WITH SPECIFIC DIFFUSION COEFFICIENTS

Certificate of Mailing

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representative certifying mailing: Georgia Peters

Signature: Georgia Peters

Date of Signing: September 15, 2005

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Commissioner for Patents
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RESPONSE AFTER FINAL REJECTION

I. Introduction

Applicants respond to the final Office Action mailed June 15, 2005, which has a statutory period for response of three months, *i.e.*, until September 15, 2005. Accordingly, this Response, which is being filed on September 15, 2005, with a Certificate of Mailing under 37 C.F.R. § 1.8, is timely.

**II. Applicants' Response to the Rejection of Claims 1–11 and 13–27
Under the Judicially Created Doctrine of Obviousness-Type Double Patenting**

Pending claims 1–11 and 13–27 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over copending applications 10/764,232, filed January 23, 2004, and 10/763,776, filed January 23, 2004. Since a terminal disclaimer is being filed for each of these copending applications concurrently with this response, Applicants respectfully assert that the claims of the instant application are in condition for allowance.

III. Applicants Submit an Appointment of Associate Attorney

Applicants submit with this Response After Final Rejection an Appointment of Associate Attorney and/or Agent, in which the undersigned attorney, John Drach, is appointed to transact all business with the United States Patent and Trademark Office in connection with the above application.

IV. Authorization To Charge Deposit Account

Should any fees be due for entry of the terminal disclaimers and consideration of this response that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 04-1406.

V. Conclusion

Applicants respectfully submit that with the concurrent filing of terminal disclaimers for copending applications 10/764,232, filed January 23, 2004, and 10/763,776, filed January 23, 2004, pending claims 1-11 and 13-27 are now in condition for allowance. A Notice of Allowance in the next Office Action is therefore requested. The Examiner is requested to telephone the undersigned about any matters that can reasonably be expected to be resolved in a telephone interview and are believed to impede the allowance of the pending claims of United States Patent Application No. 10/763,086.

Respectfully submitted,

DANN DORFMAN HERRELL AND SKILLMAN
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September 15, 2005



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